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1725
#9
10/24/02

October 8, 2002

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application No.: 09/777317
For: *Tetracycline-Regulated Transcriptional Activator Fusion Proteins*
Inventors: Bujard, Hermann *et al.*
Filed: February 5, 2001
Our Ref. No.: BBI-013C3CN3

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Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Information Disclosure Statement;
2. PTO Form 1449; and
3. A Return Postcard.

No additional costs are believed to be due in connection with the filing of this Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on:

October 8, 2002
Date

Giulio A. DeConti, Jr., Esq., Registration No. 31,503

Respectfully submitted,
LAHIVE & COCKFIELD, LLP

Giulio A. DeConti, Jr., Esq.
Registration No. 31,503
Attorney for Applicants



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Bujard, Hermann *et al.*

Serial No.: 09/777317

Filed: February 5, 2001

For: *Tetracycline-Regulated Transcriptional Activator Fusion Proteins*

Attorney Docket No.: BBI-013C3CN3

Group Art Unit: 1775

Examiner: Shukla, R.

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Washington, D.C. 20231

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October 8, 2002

Date of Signature and of Mail Deposit

By:

Giulio A. DeConti, Jr.
Giulio A. DeConti, Jr., Esq.
Registration No. 31,503
Attorney for Applicants

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicants and their Attorney are aware of the following patents, publications or other information, which are cited on the attached PTO Form 1449, and in accordance with 37 CFR §1.97 hereby submit these forms for the Examiner's consideration.

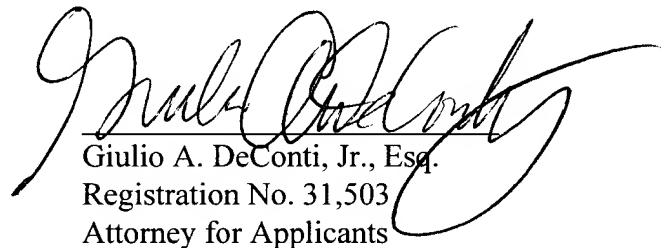
The present application is a Continuation Application of U.S. Serial No. 09/163276, filed September 29, 1998 (Atty. Docket No. BBI-013C3CN), which is a Continuation Application of U.S.P.N. 5,888,981, issued March 30, 1999 (Atty. Docket

No. BBI-013CP3), which is a Continuation-in-Part Application of U.S.P.N. 5,650,298 issued July 22, 1997 (Atty. Docket No. BBI-013). All references listed on the enclosed PTO Form 1449 have been previously cited by or submitted to the Office in the prior applications, and, in accordance with 37 CFR §1.98(d), copies of these references are not enclosed herewith, but will be provided upon request.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, Applicants understand that the Examiner will make an independent evaluation of the cited publications.

Under 37 CFR § 1.97(b)(3), no additional costs are believed to be due in connection with the filing of this disclosure. If, however, a first Office Action on the merits issues in this application bearing a mailing date prior to the date of this Information Disclosure Statement, please charge the appropriate fee as required under 37 CFR §1.17(p) to our Deposit Order Account No. 12-0080.

Respectfully submitted,
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